

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

ROBERT ZENAS WHIPPLE, III,)	
)	
Plaintiff)	
)	No. 1:13-0109
v.)	Senior Judge Haynes/Bryant
)	Jury Demand
DERRICK SCHOFIELD, et al.,)	
)	
Defendants)	

TO: THE HONORABLE WILLIAM J. HAYNES, JR.
SENIOR JUDGE

REPORT AND RECOMMENDATION

Plaintiff Whipple, a prisoner proceeding *pro se* and *in forma pauperis*, has filed his "Motion for Leave to Amend Complaint to Replace References to John Doe" (Docket Entry No. 333). By this motion, Plaintiff seeks leave to amend his complaint to add as defendants 10 individuals who were allegedly members of the Pharmacy and Therapeutic Committee at its meeting on April 10, 2013. Plaintiff states that these individuals are named in his complaint as "John Doe" defendants because their names were unknown to Plaintiff at the time of the filing of the original complaint (Docket Entry No. 333).

It appears from the record that the Court has previously denied a motion to amend by Plaintiff seeking identical relief to that sought by the present motion (Docket Entry Nos. 210 and 389). Indeed, Plaintiff in his motion acknowledges the Court's previous ruling and seeks the Court's reconsideration of its earlier ruling.

In light of the Court's earlier denial of a similar motion, which constitutes the law of the case, the undersigned Magistrate Judge finds that Plaintiff's renewed motion for leave to amend (Docket Entry No. 333) should be denied.

RECOMMENDATION

For the reasons stated above, the undersigned Magistrate Judge recommends that Plaintiff's motion for leave to amend his complaint (Docket Entry No. 333) should be denied.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has **14 days** from receipt of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have **14 days** from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within **14 days** of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140 106 S. Ct. 466, 88 L.Ed.2d 435 (1985), *Reh'g denied*, 474 U.S. 1111 (1986).

ENTER this 19th day of January, 2016.

/s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge